Banking

45 of 1908

Sl. No. 1-2

Previous reference.

A · Sept 1-05 581 3 · Repts · 4-05

1908.9

(Banking)

File No. 45-08

Serial Nos. 1-2

Later references.

(24 by

dl. 4-12-3)

B.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B. for April 09

SUBJECT.

Stating that it is inexpedient to sanction the proposal of the Registrar of Cooperative Societies in Mysore to alter rule 7, proviso (1) of the Cooperative Societies Rules.

---

1) From the Registrar of Cooperative Societies No. 554/CS. 64 & 9 · 3-09.

Proposes the modification of the rule as the quorum prescribed for the alteration of the byelaws at a general meeting is found in practice to be too high.

2) To the Registrar of Cooperative Societies. No. RC · 6825 Dt 20 · 4 · 09

decline to sanction the proposal

G. R. S. 58

G.R.S. 11]

190 8-9

GENERAL AND REVENUE SECRETARIAT.

(Banking)

NOTES.

File No. 45

FILE HEADING.

Quorum prescribed for the alteration of the bye laws of a Cooperative Society at a general meeting

From The Registrar of Cooperative Societies

No. 5374/6864 Dated 9/11-3-09 Received 12-3-09

Diary No. 3234 | Enclos. Nil | Spare Copies | Serial No.

BRIEF ABSTRACT OF LETTER.

Brings to the notice of Govt that the quorum prescribed for the alteration of a bye law at a general meeting of a C. Society has been found in practice to be unworkable & proposes the modification

Rule 7 according

NOTES AND ORDERS.

The quorum now insisted under the rule is after all one third of the total number of members. It is just possible that the want of quorum is capable of another explanation

NOTES—First sheet

GPB—30,000-3-4-07.

Serial No.

than lack of interest. Sometimes as at present formed in Mayavaram are not very convenient about the area of operations often it extends to many villages & a meeting of the Society under such conditions results naturally in poor attendance. It is perhaps felt by the members that all would go well in spite of their absence. With a view to ascertain what was prevailing in B India a search was made in the reports of Central Provinces Burma & Bengal for 1907 to trace out information on the point. Nothing however is traceable thereon about attendance in meetings of Societies — but in Bengal in the Proceedings of the Simla Conference special stress is laid on the area limitation as condition of sound working.

Sigd for orders

W. 18/3. D. Rosario Secretary to Govt

Agriculture

PTO

NOTE—Contn. sheet.

GPB—50,000—18-5-08

Serial No.

The alteration or abrogation of the by-laws of a Society is an important matter and it is desirable to obtain to any such alteration or abrogation the consent of as large a body of the members of the Society as is practicable. Under the present rules the consent of at least one-third of the members is necessary and the Registrar's suggestion would dispence with this condition altogether and make valid resolutions passed by not less than two thirds of the members present. Even if only three members attend a meeting & two of them pass a resolution amending the by laws of their Society it would be binding on all. It seems desirable to insist that changes in by laws shd. not be introduced until they are approved of by a fairly large portion of the total members. If one-third has been found to be too high, it may perhaps be reduced to one-fourth.

Genl Secy)

19.3.9

GPB—50,000—13.5.08

Serial No.

3 If I am not mistaken, the file connected with the Rowing after Rules of 27. 05 contains some discussion on this subject. Please get it & put it up. I wish also to see the British Indian rules on which our rules were based

Reg 31.3.09

4 To Branch III for putting up the file

mk 31.3.09

2-1/3

*A collection for 26.3.09

5 Secbd: The file referred to, viz. Secy 4 of 05 is herewith put up.

Reg S.

M & J 26/3/09

26/3

for II

27/3

27/3

31/3

Genl Secy

mmk 31.3.09

6 To the reasons adduced by the Asstt Secy, I would add that the Bombay & Cong Rules on which our local Rules are based fix the Quorum at one-half of the total number of members, ~~and that~~ whereas the limit was purposely

NOTE—Contn. sheet.

GPB—50,000—13-5 08

Serial No.

Fe 5

lowered in our rules to one-third
Please see the discussion in the printed
collection pamphlet. It seems inexpedient
to take away the limit altogether, as proposed
by the deputation, as there would then be no
guarantee that by-laws might not be
made and altered on insufficient necessity
and by a handful of the members of the
Society.

If it be decided to proceed further into
the matter, with a view to having it settled
the quorum may be reduced to one-fourth
then perhaps the Registrar may be asked to
furnish a list of existing Societies with
the number of members on the rolls of
each; and also why a change is necessary
here when the Indian Insurance Companies
insist on a higher minimum limit altogether.

1-4-09

1.4.09

For the reasons well set forth
in the foregoing notes, the proposed alteration
seems the most prudent -

Please put up draft

Draft Circular
Secretary
10/4

10/4

12-4-9

12.4.9

NOTE—Contn. sheet.

GPB—50,000—13-5-08

Serial No. 2

To the Registrar of Cooperative Societies
No 2l 6825-1) 20-4-09
States that Govt are unable to sanction the alteration proposed for reasons mentioned.

Office of the Registrar of Co-operative
Societies in Mysore.

No 554 / CJ.-64 Dated, Bangalore, 9th March 1909 / 11

From.

M. Shama Rao, Esqr., M.A.
Registrar of Co-operative Societies
in Mysore.

To.

C.S. Balasundaram Iyer, Esq., B.A.
Offg. Secretary to the Government of
His Highness the Maharaja of Mysore,
General & Revenue Departments.

Sir,

Adverting to Rule 7, proviso (b) of the Co-operative Societies Rules, published with Government Notification No. J.982-Legis 4-3 dated 27th September 1905, I have the honour to bring to the notice of Government, that ~~the~~ the quorum therein prescribed for the making of or altering or abrogating the bye-laws of any Co-operative Society at a General Meeting is found in practice to be too high. Large societies in places like Mysore and Bangalore where the number of members on the roll is generally high, find it practically impossible to get together on every occasion, when needed, one-third of the total number of members, owing to sickness, absence from the place and such causes, and consequently questions involving important alterations or amendments in the bye-laws have to be dropped, although by previous circulation of the papers to the members, there may be an assurance that more than a third of the total number are in favour of the proposed alterations and additions.

Several,

Mysore 190 — D 3234

From The Registrar of Cooperative Societies, in Mysore.

To The Secretary to the Govt. of Mysore, Genl & Rev. Depts.

Dated 9th March 1909

Despatched

Received

General No. 5554

No. CS. 64

Enclosure No.

Proposes certain amendments to Rule 7 proviso (b) of the Co-operative Societies Rules.

Several of the bye-laws of the earlier societies need revision in the light of the experience since gained, but the rigidity of the rule above quoted has prevented all attempts at bene--fitting by the experience so gained. I beg therefore to propose that in Rule 7, proviso (b) adverted to, the words " and by not less than one-third of the total number of the members" be omitted, inasmuch as under proviso (c) of the same rule, the Registrar can keep watch that no obnoxious changes are introduced into the working or constitution of a society In cases of doubt, it will be open to the Registrar to call on the society to procure the opinion of a majority of its total number of members.

I have the honour to be,

Sir,

Your most obedient servant,

M. Shamanna Rao

Registrar, Co-operative Societies,
in Mysore.

Fair draft

G.R.S. 28]

File No 45
Serial No. 2

Diary No. of letter replied to 3234

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(Bangalore)

, *the* 190

Date of issue

Signed by

READ—
--- letter No 534/Cs 04 & 11-3-09 from the Registrar of Cooperative Societies
To be read in Extenso

ORDER THEREON.—No. H 0825
The 20-4-09

To be printed

The alteration or abrogation of the by laws of a society is an important matter & it is desirable to obtain the consent of as large a body of the members of the society

over

SUBJECT

Copied J.B.R. 17/4.

GPB—6,000—13-5-08

5

as is practicable. The Bombay & Coorg rules fix the quorum at one half the total number of members, whereas the present limit was purposely lowered in our rules to one third. The Registrar's suggestion to take away the limit altogether, in the above circumstances, I do not consider it expedient to sanction the proposed alteration.

on which the local rules were ~~based~~

~~is~~ ~~inexpedient~~, for ~~the~~ ~~reason~~ inexpedient, as there would then be no guarantee that by-laws may not be made allowing an unofficial majority and by a handful of members of a Society. The Registrar accordingly suggests alteration of the rule.

14/4/09

Asst Secretary.

To

The Registrar of Co-operative Societies

14/4/09

1908-09

GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

FINANCIAL (BANKING)

PROCEEDINGS

Dated 20th April 1909

No. Fl. 6825
B. 45-08-2

Stating that it is inexpedient to sanction the proposal of the Registrar of Co-operative Societies in Mysore to alter rule 7, proviso (*b*), of the Co-operative Societies Rules.

GPB—3 5-09—200

Proceedings of the Government of His Highness the Maharaja of Mysore, Financial (Banking), dated 20th April 1909.

READ—

Letter No. 554—C. S. 64, dated 11th March 1909, from the Registrar of Co-operative Societies, Mysore:—

"Adverting to Rule 7, proviso (*b*), of the Co-operative Societies Rules, published with Government Notification No. J. 982—Legis. 4-3, dated 27th September 1905, I have the honour to bring to the notice of Government, that the quorum therein prescribed for the making of or altering or abrogating the bye-laws of any Co-operative Society at a general meeting is found in practice to be too high. Large societies in places like Mysore and Bangalore where the number of members on the roll is generally high, find it practically impossible to get together on every occasion, when needed one-third of the total number of members, owing to sickness, absence from the place and such causes, and consequently questions involving important alterations or amendments in the bye-laws have to be dropped, although by previous circulation of the papers to the members, there may be an assurance that more than a third of the total number are in favour of the proposed alterations and additions. Several of the bye-laws of the earlier societies need revision in the light of the experience since gained, but the rigidity of the rule above quoted has prevented all attempts at benefiting by the experience so gained. I beg, therefore, to propose that in Rule 7, proviso (*b*), adverted to, the words "*and by not less than one-third of the total number of the members*" be omitted, inasmuch as under proviso (*c*) of the same rule, the Registrar can keep watch that no obnoxious changes are introduced into the working or constitution of a society. In cases of doubt, it will be open to the Registrar to call on the society to procure the opinion of a majority of its total number of members."

No. Fl. 6825—B. 45-08-2, dated Bangalore, 20th April 1909.

Order thereon.—The alteration or abrogation of the bye-laws of a society is an important matter, and it is desirable to obtain the consent of as large a body of the members of the society as is practicable. The Bombay and Coorg rules, on which the local rules were based, fix the quorum at on-half the total number of members, whereas the present limit was purposely lowered in our rules to one-third. The Registrar's suggestion to take away the limit altogether is inexpedient, as there would then be no guarantee that bye-laws may not be made and altered on insufficient necessity and by a handful of the members of a society. The Government are accordingly unable to sanction the proposed alteration of the rules.

K. S. CHANDRASEKHARA AIYAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Registrar of Co-operative Societies.

Exd.—S. V.